

GUIDANCE FOR ANNUAL COMPLIANCE CERTIFICATION

Chapter 140 of the Department's Regulations and 40 CFR Part 70 require Part 70 sources to submit annual compliance certifications. Part 70 sources are required to make a certification of compliance with all applicable requirements by a responsible official. In addition to annual compliance certifications, Part 70 sources are required to submit certified semiannual reports in accordance with Chapter 140 and certified quarterly reports when required in accordance with Chapter 117 of the Department's Regulations. Following is a guideline to use in preparing the annual compliance certification:

1. Compliance certification's are due annually and represent a 12-month period of operation. The initial annual compliance certification is due with the source's submittal of its second semiannual report. Please note the initial annual compliance certification period begins on the date that the Title V license is signed. The initial annual compliance certification may represent less than 12 months. The initial semiannual report is due 30 days from the end of the second calendar quarter following the license effective date, and initial semiannual reports may include less than 6-months of operating time under the initial Title V license. Calendar quarters end March 31, June 30, September 30, and December 31. For example, a Title V license signed May 15 would be required to submit its first semiannual report for the 6-month period ending September 30 and its second semiannual report including the annual compliance certification for the 12-month period ending March 31.
2. Compliance certifications should be prepared using the conditions under the license Order section, including any license amendments, as an outline. Compliance certifications must include certification for both standard and special conditions.
3. Two copies of the compliance certification should be sent to:
Compliance Supervisor
Maine Dept. of Environ. Protection
BAQ
17 State House Station
Augusta, ME 04333-0017

Standard Condition (13) in the Part 70 license states the following:

The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequent if specified in the Applicable requirement or by the Department. The compliance certification shall include the following:

- (a) the identification of each term or condition of the Part 70 license that is the basis of the certification;
- (b) the compliance status;
- (c) whether compliance was continuous or intermittent;
- (d) the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
- (e) such other facts as the Department may require to determine the compliance status of the source;

For requirement 13(a) identify each standard and special condition in the license.

For requirement 13(b) indicate whether the facility is certifying compliance or incidents of non-compliance with the license condition. Sources are required to indicate incidents of non-compliance when any license deviations have occurred during the annual certification period.

For requirement 13(c) provide a summary of the deviations from the license condition when certifying incidents of non-compliance with a license condition. In addition, indicate the percentage (%) of operating time or number of deviations which occurred.

For requirement 13(d) first identify the method(s) or other information used to demonstrate the compliance status of each license condition. Indicate the method as recordkeeping, inspection and recordkeeping, CEMS, COMS, parameter monitoring, stack test, or other (specify the method). The method(s) should include any testing and monitoring methods that have been identified as required periodic monitoring. Second, indicate if the method provided continuous or intermittent data. Continuous means that there are at least three evenly spaced data points recorded in any given hour.

For requirement 13(e) describe deviations from the condition in detail or cross-reference a certified quarterly or semiannual report submitted to MEDEP. Provide additional facts as evidence of the compliance status of the source. This shall include any credible evidence beyond required periodic monitoring that indicates non-compliance with the source's license conditions.

Example Condition for Fuel Burning Source

(24) Oil Fired Boiler (Non-NSPS boiler)

- A. Facility is licensed to operate boiler No. 1 (300 MMBtu/hr) which is licensed to fire #6 fuel oil. [MEDEP Chapter 140, BPT]
- B. The sulfur content of the fuel oil fired in boiler No. 1 shall not exceed 1.0% by weight demonstrated by purchase records from the supplier. [MEDEP Chapter 140, BPT]
- C. Emissions from boiler No. 1 shall not exceed the following limits:

Pollutants	lb/MMBtu	Origin and Authority
PM	0.12	MEDEP Chapter 103
PM ₁₀	0.12	MEDEP Chapter 103
SO ₂	1.05	MEDEP Chapter 140
NO _x	0.36	MEDEP Chapter 138

- D. Visible emissions from boiler No. 1 shall not exceed 30% opacity on a six (6) minute block average basis, except for two (2) six (6) minute block averages in a 3-hour block period. [MEDEP Chapter 140, BPT]
- E. Facility shall operate a continuous emission monitoring system (CEMS) for measuring NO_x emissions from boiler No. 1 in accordance with Chapter 117 of the Department's regulations. [MEDEP Chapter 138 and 117]

- F. Facility shall operate a continuous opacity monitoring system (COMS) for measuring opacity from boiler No. 1 in accordance with Chapter 117 of the Department's regulations. [MEDEP Chapter 117]

Example Compliance Certification

(a)	(b)	(d)	(c)	(e)
Condition ID	Compliance Status¹ (Check appropriate box).	Method for determining compliance² (Check appropriate boxes.)	Summary of deviations from the condition (e.g. % of operating times or number of deviations.)	Describe deviations¹ from the condition in detail or reference certified report submitted to MEDEP. (Attach additional pages if needed)
24(A)	(x) Compliance () Incidents of Non-compliance	() Continuous (x) Intermittent (x) Recordkeeping () CEMS/ COMS () Parameter monitor () Stack Test () Other ³ _____	None	None
24(B)	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None
24(C) PM/PM ₁₀	(x) Compliance	(x) Intermittent (x) Stack Test	None	None
24(C) SO ₂	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None
24(C) NO _x	(x) Incidents of Non- Compliance	(x) Continuous (x) CEMS	1% of source operating time	See first and second semi-annual Reports submitted February 1 and August 1, 2000
24(D) opacity	(x) Incidents of Non- Compliance	(x) Continuous (x) COMS	1% of source operating time	See first and second semi-annual Reports submitted February 1 and August 1, 2000
24(E) NO _x CEM	(x) Compliance	(x) Continuous (x) CEMS	None	None
24(F) opacity COM	(x) Compliance	(x) Continuous (x) COMS	None	None

1. Must take into account any credible Evidence for Non-Compliance.
2. First, indicate whether the method of compliance provides continuous or intermittent data, and second, indicate the method for determining compliance (monitoring, recordkeeping, etc.)
3. Specify method.

Example Process Source Condition

(25) Spray Coating Booth

- A. Particulate matter emissions from the spray paint booth shall be controlled by a fabric filter system. Facility shall perform weekly visual inspections of the fabric filter and maintain a log of the inspections. [MEDEP Chapter 140, BPT]
- B. Visible emissions from the spray paint booth shall not exceed 10% opacity on a six (6) minute block average basis, except for one (1) six (6) minute block average in a one (1) hour period. [MEDEP Chapter 140, BPT]
- C. VOC emissions from the use of paint shall be documented by monthly recordkeeping indicating the amount of paint used and the VOC content of the finish. [MEDEP Chapter 140, BPT]
- D. Facility shall not exceed a monthly average of 6.0 lb VOC per gallon of paint. [MEDEP Chapter 140, BPT]
- E. Facility shall not exceed a 12-month rolling total VOC limit of 20 tons per year. [MEDEP Chapter 140, BPT]

Compliance Certification Example

(a)	(b)	(d)	(c)	(e)
Condition ID	Compliance Status¹ (Check appropriate box).	Method for determining compliance² (Check appropriate boxes.)	Summary of deviations from the condition (e.g. % of operating times or number of deviations.)	Describe deviations¹ from the condition in detail or reference certified report submitted to MEDEP. (Attach additional pages if needed)
25(A)	(x) Compliance () Incidents of Non-compliance	() Continuous (x) Intermittent () Recordkeeping () CEMS/ COMS () Parameter monitor () Stack Test () Other ³ _____ (x) Inspection/ recordkeeping	None	None
25(B)	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None
25(C)	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None
25(D)	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None
25(E)	(x) Compliance	(x) Intermittent (x) Recordkeeping	None	None

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2. First, indicate whether the method of compliance provides continuous or intermittent data, and second, indicate the method for determining compliance (monitoring, recordkeeping, etc.)
3. Specify method.